

Approved For Release 2007/07/11 : CIA-RDP86-00674R000100210012-6

TRANSMITTAL SLIP		DATE 12 JAN 1982
TO: C/RSB JF / 13 Jan 82. Kelly —		
ROOM NO.	BUILDING	
REMARKS: FYI		
FROM:		
ROOM NO.	BUILDING	EXTENSION

TRANSMITTAL SLIP		DATE 7 January 1982
TO: D/OIS		
ROOM NO. 1206	BUILDING Ames Bldg.	
REMARKS:		
<p>FYI</p> <p><i>AS</i> <i>(BGC)</i></p> <p><i>Barbara</i> <i>I'm not sure it</i> <i>isn't a mistake to</i> <i>coordinate an E.O. with</i> <i>the Congress. It's sure</i> <i>to invite substantive</i> <i>changes.</i></p>		
FROM: DDA		
ROOM NO. 7D24	BUILDING Hqs	


FORM NO. 241
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REPLACES FORM 36-8
WHICH MAY BE USED

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RMD/RSB probably
should see this

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11/7/82

Office of Current Operations
The Operations Center

News Service

Date. 7 Jan 82
Item No. 4
Ref. No. _____

Distribution II

Item from THE NEW YORK TIMES, Page A-17.

Administration Delays Secrecy Order Briefing

WASHINGTON, Jan. 6 (AP) — The Reagan Administration today abruptly canceled plans to brief Congress on a proposed Presidential order that would let Government officials invoke national security more easily and more often in keeping information from the public.

Stephen Garfinkel, director of the Information Security Oversight Office, said the briefings, scheduled Thursday, had been postponed to give the Administration more time "to get our own house in order."

Mr. Garfinkel said there were still "issues of substance" to be resolved within the Administration, and added that the replacement of Richard V. Allen as President Reagan's national security adviser this week was also a factor in the delay.

Mr. Garfinkel said the postponement would give Mr. Allen's successor, William P. Clark Jr., a chance to express his opinions of differences that remain in the proposal. He declined to say what those remaining issues were.

Earlier, Mr. Garfinkel said he would present the proposal to the Senate Judiciary Committee and the House Intelligence Committee at closed briefings Thursday.

The Administration's draft intelligence order drew criticism on Capitol Hill for seeking to remove many of the restrictions imposed on the Central Intelligence Agency in the 1970's. The final order, signed Dec. 4, broadened the agency's powers, but not nearly so much as in the earlier draft.

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WHITE HOUSE PONDERING MORE SECRECY FOR GOVERNMENT DOCUMENTS

BY ROBERT PARRY

ASSOCIATED PRESS WRITER

WASHINGTON (AP) - THE REAGAN ADMINISTRATION IS PUTTING THE FINISHING TOUCHES ON A DRAFT PRESIDENTIAL ORDER THAT CRITICS CONTEND WOULD EFFECTIVELY EXEMPT THE CIA FROM THE FREEDOM OF INFORMATION ACT.

THE PROPOSAL, WHICH WOULD LET GOVERNMENT OFFICIALS INVOKE NATIONAL SECURITY MORE EASILY TO KEEP INFORMATION FROM THE PUBLIC, WAS SCHEDULED TO BE SENT TO CAPITOL HILL TODAY, BUT THE WHITE HOUSE ABRUPTLY CANCELED THOSE PLANS WEDNESDAY.

STEPHEN GARFINKEL, DIRECTOR OF THE INFORMATION SECURITY OVERSIGHT OFFICE, SAID THE ADMINISTRATION STILL MUST RESOLVE SOME "ISSUES OF SUBSTANCE" ABOUT THE PROPOSED ORDER BEFORE IT IS SHOWN TO CONGRESS.

GARFINKEL SAID THE POSTPONEMENT ALSO WOULD GIVE WILLIAM F. CLARK, THE NEW NATIONAL SECURITY ADVISER, A CHANCE TO EXPRESS HIS OPINIONS ABOUT THE REMAINING DIFFERENCES. GARFINKEL REFUSED TO SAY WHAT THOSE OUTSTANDING ISSUES WERE.

PRESIDENT REAGAN HAD BEEN EXPECTED TO SIGN THE NEW SECRECY ORDER IN FEBRUARY, BUT GARFINKEL SAID THE CONTINUING REVIEW COULD PUSH BACK THAT TIMETABLE. APPROVAL OF CONGRESS IS NOT REQUIRED, ALTHOUGH GARFINKEL SAID ITS ADVICE WOULD STILL BE SOUGHT.

AN INITIAL DRAFT OF THE ORDER, OBTAINED BY THE ASSOCIATED PRESS IN OCTOBER, WOULD REVERSE A 25-YEAR TREND TOWARD RESTRICTING THE POWER OF GOVERNMENT OFFICIALS TO SHELTER INFORMATION FROM PUBLIC VIEW.

AMONG THE CHANGES IN JIMMY CARTER'S 1978 SECRECY GUIDELINES, THE DRAFT CALLED FOR WITHHOLDING "INFORMATION RELATING TO INTELLIGENCE SOURCES AND METHODS," A CLAUSE THAT CRITICS CLAIM COULD FREE THE CIA FROM THE DISCLOSURE REQUIREMENTS OF THE FREEDOM OF INFORMATION ACT.

"THE DANGER IS THAT WE WILL NOT BE ABLE TO GET INFORMATION ABOUT CIA WONGGOING" BECAUSE THE CIA COULD CLAIM THAT NEARLY ALL ITS ACTIVITIES RELATE TO ITS SOURCES AND METHODS, SAID KORTON HALPERIN, DIRECTOR OF THE CENTER FOR NATIONAL SECURITY STUDIES AND A FORMER NATIONAL SECURITY COUNCIL STAFF MEMBER.

GARFINKEL, HOWEVER, DISMISSED HALPERIN'S CLAIM AS A "BIG OVERSTATEMENT," ARGUING THAT MANY CIA ACTIONS DO NOT RELATE TO "SOURCES AND METHODS." AND HE SAID "THE STUFF THAT IS PRESUMED TO BE CLASSIFIED UNDER THIS (DRAFT) IS ALREADY HEAVILY CLASSIFIED."

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THE DRAFT ALSO WOULD SCRAP CARTER'S RULE THAT GOVERNMENT SECRECY BE BALANCED AGAINST THE PUBLIC'S RIGHT TO KNOW AND MAKE NATIONAL SECURITY THE SOLE BASIS FOR DECIDING WHETHER TO APPLY THE SECRECY STAMP.

IN ADDITION, THE DRAFT ORDER STATES THAT WHERE THERE IS "REASONABLE DOUBT" ABOUT THE NEED TO CLASSIFY A DOCUMENT, GOVERNMENT OFFICIALS SHOULD KEEP IT FROM THE PUBLIC. PREVIOUS ORDERS DATING BACK TO THE NIXON ADMINISTRATION SAID THAT IN CASES OF DOUBT, DOCUMENTS SHOULD BE RELEASED OR GIVEN THE LOWEST POSSIBLE SECRECY CLASSIFICATION.

CALLING THE CURRENT PROPOSAL A "COMPROMISE," GARFINKEL SAID SOME ADMINISTRATION OFFICIALS WANT EVEN BROADER GOVERNMENT AUTHORITY TO KEEP INFORMATION SECRET. CONGRESS, HOWEVER, IS LIKELY TO SEEK A ROLLBACK IN THE NEW PROPOSALS.

"IT'S ALMOST INEVITABLE THAT THEY (ADMINISTRATION OFFICIALS) WOULD START OUT WITH A MORE HARD-NOSED ORDER THAN THEY'RE LIKELY TO GET," SAID ONE CONGRESSIONAL AIDE, WHO ASKED NOT TO BE IDENTIFIED.
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